



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,861	07/03/2001	Gerhard Pflueger	1586	6243

7590 06/19/2002
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

NGUYEN, TRAN N

ART UNIT PAPER NUMBER

2834

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/807,861

Applicant(s)

PFLUEGER ET AL.

Examiner

Tran N. Nguyen

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6, 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 1-14 been renumbered respectively 15-28.

Claim Rejections - 35 USC § 112

2. Claims 15-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 15, "the retaining means is connected by material engagement....welding, soldering or adhesive bonding" is indefinite because of the alternative recitation. The phrase is understood as , "the retaining means is connected by material engagement selected one of welding, soldering and adhesive bonding"

In claim 20, "pole wheel half and/or on the pole carrier" (occurring twice in the claim) is indefinite because "and/or" is unclear alternative recitation.

In claims 23, 24 and 25 respectively recite "legs", "two opposed legs" and "the legs are joined" which are indefinite because it is unclear to what subject matter do the so-called "legs" belongs, do they belong to the retaining elements or the pole claws? In light of the spec., the *legs are read to respectively belong to the retaining elements, i.e., legs of retaining element.*

In claim 26, "the tab" lacks antecedent basis. Also, the use of "its" does not clearly set reference for the referred subject matter.

In claim 27, "each two adjacent legs of two claw pole interstices" is indefinite because the specification's figs 8, 10, 12, 16-17 show that the legs (54) belong to the retaining element NOT to the claw pole. The above recitation is read as "each two adjacent legs of the retaining element".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 15-28** rejected under 35 U.S.C. **102(b)** as being fully anticipated by *Kusase et al* (US 5,483,116).

Kusase discloses an claw pole generator having rotor (3) with two half claw pole wheels (13, 14), each of which having a plurality of claw poles (15, 16), the claw pole rotor (3) particularly comprises retaining means (12) which including a plurality of individual retaining elements (24) with a magnet (11) being secured thereto. The retaining elements (24) comprises tabs (26, 27) which are bent at an angle relative to the rotor shaft (6); and two adjacent retaining elements are joined by the tabs in the region of the claw pole ends. In one embodiment (figs 1-5) Kusase shows the retaining means as one piece and the tabs formed integrally with the retaining elements, wherein the one-piece retaining means has a substantially cylindrical jacketlike structure which has open recesses, alternating on the pole for accommodating the first claw poles and the second claw poles therein. In another embodiment (figs 6-10), Kusase discloses the retaining element having a rectangular-hollow profile to fit the space between adjacent two claw poles. Inherently, a rectangular hollow shape has two opposite legs (51) located parallel

Art Unit: 2834

to the first and second claw poles' flanks and the legs (51) is connected by a pole end web (53) and that the rectangular hollow shape has a closed hollow profile (28) which accommodates the magnet (26) therewithin.

2. **Claims 15-21, 23-25 and 27-28** rejected under 35 U.S.C. 102(b) as being fully anticipated by *Taniguchi et al* (US 5,969,459).

Taniguchi discloses an claw pole generator (figs 1-12) having rotor with two half claw pole wheels (22, 24), each of which having a plurality of claw poles (18, 20), the claw pole rotor particularly comprises retaining means which including a plurality of individual retaining elements (28) with a magnet being secured thereto. The retaining element (28) comprises tabs (46, 48) formed integrally with the retaining element (28), wherein the tabs are bent at an angle relative to the rotor shaft (34); and two adjacent retaining elements are joined by the tabs in the region of the claw pole ends, wherein the Taniguchi's retaining element is disclosed as a rectangular parallelepiped shape to fit the space between adjacent two claw poles. Inherently, a rectangular parallelepiped shape has two opposite legs (or sides) that are parallel to the sides of the claw poles' flanks; the parallelepiped shape has a closed hollow profile (28), which accommodates the magnet (26) therewithin, as shown in figs 3.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. **Claims 15-17 and 28** rejected under 35 U.S.C. 102(e) as being fully anticipated by *Kanazawa et al* (US 6037695).

Kanazawa discloses an claw pole generator having rotor with two half claw pole wheels (6 A-B), each of which having a plurality of claw poles (8A-B), the rotor particularly comprises retaining means which including a plurality of individual retaining elements (12 (figs 2-3) or 22 (figs 13-14) with magnet (11, 21) secured thereto.

4. **Claims 15-21, 23 and 28** rejected under 35 U.S.C. 102(e) as being fully anticipated by *Lechner* (US 6150746).

Lechner discloses an claw pole generator having rotor with two half claw pole wheels (7), each of which having a plurality of claw poles (7'), the claw pole rotor particularly comprises retaining means which including a plurality of individual retaining elements (2). The retaining element (2) comprises a tab (2b) which is bent at an angle relative to the rotor shaft (10) and is formed integrally with the retaining element (2), wherein the retaining element having two opposite legs (2c) parallel to the first and second claw pole flanks (figs 1a-b, 2-5, 12 and 14).

5. **Claims 15-17 and 28** rejected under 35 U.S.C. 102(e) as being fully anticipated by *Ragaly et al* (US 6013967).

Art Unit: 2834

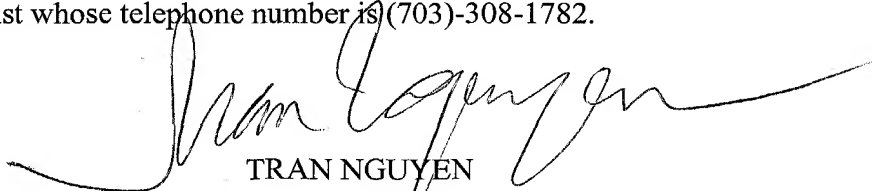
Ragaly discloses an claw pole generator having rotor with two half claw pole wheels (21, 23), each of which having a plurality of claw poles (22, 24), the claw pole rotor particularly comprises retaining means (10) which including a plurality of individual retaining elements (13) with magnet (30) secured thereto.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran N Nguyen whose telephone number is (703) 308-1639. The examiner can normally be reached on M-F 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703)-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3431 for regular communications and (703)-395-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1782.



TRAN NGUYEN

PRIMARY PATENT EXAMINER

TC-2800